

ORAL QUESTION H-0316/03
for Question Time at the part-session in June 2003
pursuant to Rule 43 of the Rules of Procedure
by Roy Perry
to the Commission

Subject: Misapplication of the Acquired Rights Directive with respect to British lecturers

The United Kingdom has stated by way of a letter to the Commission that it is removed from the field of application of Article 3(2) of the Acquired Rights Directive 77/187/EEC¹ on the ground that in the UK collective agreements are presumed not to be legally enforceable. Regardless of the serious impact of the failure of the UK to give full effect to the directive, and regardless of the misapplication of Community law by the domestic courts, the Commission continues to refuse to take any steps to rectify the problem.

How does the Commission explain its failure to take action against a Member State in circumstances where the Member State has declared that Article 3(2) of the Acquired Rights Directive is void and of no effect, and where a 10-year pay and career freeze has been applied to lecturers who sought the protection of the directive?

Tabled: 20.05.2003
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¹ JO L 61, 5.3.1977, p. 26.